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SEXUAL PERVERSION: A LIBERAL ACCOUNT

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1. Introduction

Sexual perversion and liberalism may seem strange bedfellows. Diagnoses of sexual perversion are associated with moralistic and repressive approaches to sexuality, which seek to link the impermissibility of a private act to its putative unnaturalness (often ill-defined). Liberals, meanwhile, aim to permit all harmless acts between consenting adults, however 'unnatural'. Theories of sexual perversion are often grounded in religious dogmas, whilst (political) liberalism aims to remain neutral between competing comprehensive doctrines. Why, then, the attempt to develop a moralised understanding of sexual perversion that is compatible with liberalism?

First, because the present use of this term in public discourse is often deeply harmful and offensive to oppressed minorities, encouraging their further stigmatisation and marginalisation. Traditional accounts of this term allow for homosexuality, transsexuality, and BDSM to be placed in the same moral category as paedophilia, necrophilia, and bestiality. One response to this apparent conflation would be to deny the normative aspect of perversion: all these practices may indeed be in the same category, but this category is not a moral one. Rather, it is a mere descriptive fact that these acts are unnatural – perhaps in the sense that they do not lead to biological reproduction – and this tells us nothing about their moral status.

Such descriptive approaches require that we identify the apparent moral wrong of some of these perverted acts elsewhere. For liberals, the most likely candidate is the harm that they cause. However, I argue that the distinctive moral wrongness of the perverted acts that *are* morally wrong is not easily captured by the notion of harm alone: the wrongs involved in paedophilia and bestiality, for example, are not *just* about harm; and some cases of sexual perversion may not involve harm at all (at least, not to living humans). Developing a moralised

understanding of perversion, which is compatible with liberal commitments, then, has the dual benefit of avoiding the (mis)use of this term to stigmatise and moralise various practices without justification, whilst also drawing attention to the distinctive moral wrongness of certain perverted acts, beyond the harm they cause, and even when they cause no harm at all.

I begin by considering common accounts of sexual perversion: traditional accounts, descriptive accounts, and neo-Aristotelian or perfectionist accounts (§2). The latter of these understands perverted sexual practices as wrong because by engaging in them we deny ourselves the distinctive goods of ideal sex, and so undermine our flourishing. However, the substantive perfectionist account of what ‘ideal’ sex entails and the idea that we have duties to ourselves to engage in, and maintain the capacity to engage in, such sex, does not sit well with core commitments of political liberals. In particular, it is likely to generate tension with the ideals of state neutrality, toleration, and the importance of allowing individuals to autonomously form and pursue their own conception of the good.¹ For this reason I argue that rather than understanding perversion as a subversion of the function of *ideal* sex, we should instead focus on the function of *morally acceptable* sex. This, I contend, must entail respect for and engagement with the autonomy and agency of any partner(s). Perversions, then, are practices that subvert this goal – preferences for practices that undermine, violate, and ignore this autonomy and agency (§3).

Both the distinctiveness, and the advantages, of my approach are best revealed when considering how it would categorise putatively perverted practices and preferences, and why (§4). It will differ from most standard accounts both in terms of what is categorised as perverted (notably rape), and what is potentially excluded (necrophilia, incest, and sadomasochism, amongst others). Nonetheless, I aim to show both that this is justified and that it has the multiple benefits of stigmatising practices that ought to be (and often are not), identifying the distinctive wrongness of such acts, and removing stigma from practices that are currently unjustifiably denigrated. In this way I hope to reclaim sexual perversion as a thoroughly liberal notion: one that is compatible both with allowing individuals to autonomously choose their own ideal of sexual functioning, and with standing against behaviour that undermines others’ ability to do so.

2. Three Common Accounts of Perversion

Amongst those who have written on the subject, there is a general consensus that the concept of sexual perversion can be cashed out in terms of sex that is 'unnatural' in some important sense. The challenge is to determine what constitutes natural sex, and whether this pertains to its moral status. An account of naturalness usually begins with an appeal to the teleological function of sex. Sexual behaviour is then conceived of as unnatural (and sometimes morally wrong) insofar as it fails to fulfil, or aim to fulfil, this function. In this section I briefly outline, and reject, two relatively common approaches, before considering an alternative – perfectionist accounts – which is more promising, though ultimately also flawed.

2.1 Traditional Accounts

The traditional conception of sexual perversion is rooted in the procreative account of sex, which is tacitly endorsed by all of the Abrahamic religions but was most explicitly developed by the Catholic thinkers St Augustine (Augustine 1966, Vol. IV, bk.XIV, ch.XVI) and St Thomas Aquinas (1975, bk. III, pt. II, ch.122). Though differing in the particulars of their positions, both agree that reproduction is the only legitimate end of sex. Thus, sex that does not aim at reproduction (for Augustine), or which could not 'normally' result in reproduction (for Aquinas), is considered unnatural, perverted, and wrong. Indeed, the moral condemnation of these acts is grounded in their unnaturalness: "[n]ature itself condemns the perverted practice" (Primoratz 1999, 51).²

This understanding of the function of sex implies an extremely (and implausibly) restrictive sexual morality. Any sexual act that cannot result in procreation – from masturbation and the use of contraception, to necrophilia and bestiality – is deemed perverted and so wrong on the same grounds. This breadth renders these accounts useless as a way of identifying plausibly impermissible sexual practices. Besides these heavy restrictions on permissible sexual activities, the main objections to this account stem from its dual insistence that procreation constitutes the 'natural function' of sex, and that this is morally relevant. Some agree that there is a function of sex from which we can derive a moral account of perversion, but deny that this function is procreation. Others claim that sex has no function, or at least none that is morally relevant, and argue for either abandoning the concept of perversion or divorcing it from its evaluative meaning. I next explore this latter route, before moving on to the former.

2.2 Descriptive Accounts

Descriptive accounts agree that sexual perversion should be defined as the desire to engage in unnatural sexual practices, yet attach no moral valence to the idea of unnaturalness. Various accounts are given of what constitutes natural sex, and so its corollary perversion. For Sara Ruddick (1984, 287), for example, 'natural' sexual desire is for heterosexual genital intercourse. Yet she insists that "there is no connection, inverse or correlative, between what is natural and what is good" (Ruddick 1984, 291). For Alan Goldman, perverted sexual desires and practices are those that are statistically infrequent. Yet, again, their rarity does not affect their moral status.³

Some of those who accept such an approach argue that if perversion is indeed an amoral concept, then it ought to be abandoned entirely. Rather than trying to revise widely-held understandings of the term, which imply severe moral disapprobation, it should simply be discarded as irrelevant and incompatible with a progressive understanding of sex. Igor Primoratz (1999, 64), for example, concludes that "the term serves no useful purpose...so [w]e should therefore simply drop it". Similarly, Graham Priest (1997, 371) insists that "sexual perversion is...another notion that needs to be assigned to the scrap-heap of the history of ideas".

The move towards descriptivism is one of two possible approaches we might take when faced with a misapplied term of moral condemnation. The alternative, which I favour, instead aims to avoid misapplication. Whichever option we choose we will face counterintuitive implications: either we attempt to detach the evaluative element from a deeply evaluative concept and hope it falls out of use, or we attempt to redefine the behaviours with which this evaluative attitude is associated. It is unsurprising that Primoratz and Priest conclude that we should 'drop' talk of perversion once it is divorced from its normative connotations: after all, what could be the point of picking out a category of perverted sex if not its disapprobation? However, I contend that we should aim to harness this moral disapproval rather than hoping that it dissipates.

This is, first, because the powerful moral valence of this term can be usefully turned against cases currently taken insufficiently seriously in almost every society, such as non-violent rape and other forms of sexual assault. Second,

reclaiming and reapplying the term seems likely to prove a better liberal strategy, pragmatically speaking, as a means of dealing with the problematic effects of current usage, than insisting that perversion is not morally objectionable after all. In slogan terms, we might say '*these* are the real perverts', and not 'there's nothing wrong with being a pervert'.⁴ The latter strategy is especially dangerous given that there *is* something wrong with sex that perverts (subverts, undermines, reverses) a standard that all morally acceptable sex should meet, as I will argue. The third reason to save perversion from the scrap heap, then, is that it enables us to identify a distinctive category of morally impermissible sex. This cannot be subsumed into harmful sex (which need not be perverted) (§3.3), rape (which is merely a subset of perversion) (§4.4), or morally impermissible sex (since perversion is only one way in which sex may be impermissible) (§5).

2.3 Perfectionist Accounts

Perfectionist accounts also do not abandon a moralised conception of perversion. They follow traditional accounts in defining sexual perversion as sexual preferences and practices that subvert the function of sex, yet do not interpret the function of sex as procreation. Rather, they argue for some substantive account of the core features of good or ideal sex, where perverted sex fails to meet this ideal. Thus, perverted sex is wrong not because it cannot lead to reproduction, but because engaging in it is not conducive to, and may undermine our capacity to obtain: a basic human good (Donald Levy); an optimal or fully satisfying sexual experience (Jerrold Levinson); or a loving and intimate interpersonal relationship (Roger Scruton). I will briefly outline these three approaches before considering some objections.

Levy's account invokes the notion of 'basic human goods', which are necessary features of any human life. Levy (1980, 199) lists them as: "life, health, control of one's bodily and psychic functions, the capacity for knowledge and love". They are both of intrinsic value, and are a means to all non-basic goods. Given the central importance of these basic goods to all human life, Levy (1980, 201) argues that if we deny ourselves "one of the basic human goods (or the capacity for it) and no other basic human good is seen as resulting thereby, and when pleasure is the motive of the denial, the act is perverted". Sexual perversion is a specific perversion, where the basic human good that is sacrificed is love, and the pleasure that motivates this sacrifice is sexual. Perversion is morally wrong

on Levy's account because he takes valuing basic goods to be constitutive of our humanity.⁵ Thus, to sacrifice these goods, and indeed to find pleasure in such a sacrifice, is degrading, corrupting, damaging, and immoral (Levy 1980, 202).

Levinson's account also focuses on the damage that we may do to ourselves if we engage in perverse sexual acts. Indeed, he argues that it would be more illuminating to talk about sexual *perversity*, rather than perversion, since this captures the idea that engaging in these practices involves a perverse failure to make use of our capacities and opportunities, and so live a less good life than we might otherwise. For Levinson (2003, 32; 37), then, perverse desires – sexual or otherwise – are ones that “significantly hamper human flourishing, that work powerfully against self-development, that importantly constrict life possibilities”, and so “impede realization of the kind of life a rational person would on reflection most want to have”. Pursuing such desires, rather than the more fulfilling ‘ideal sex’ that Levinson outlines, is immoral because in doing so we fail to fulfil the duty we have to ourselves to try to flourish.⁶ Instead, we knowingly (and perversely) undermine our own self-development.

On some interpretations, Scruton's account may also be deemed perfectionist. Scruton (2006) cashes out the function of sex in terms of cultivating loving and intimate relationships. He posits a strong interpersonal dimension to sex, whereby conscious engagement with one's partner's individual personhood is characteristic of human sexual desire, and this lends itself to the formation and maintenance of these sorts of relationships. In a similar vein, Nagel (1969) takes non-perverted sexual desire to involve reflexive, mutual recognition of arousal between partners. Both accounts are perfectionist insofar as they propose a structure of ideal sexual desire and, in Scruton's case, ideal sexual relationships. However, whilst Nagel clearly holds that perverted sex is not necessarily morally worse than non-perverted sex, this is less clear in Scruton's account.

Certainly, Scruton believes that engaging in perverted acts is worse for us, insofar as the relationships they undermine are an important component of a flourishing life. Hence, indulging in sexual acts that stray from or subvert this dimension can be conceived of as perverse. As Scruton (2006, 343) puts it, “perversion consists precisely in a diverting of the sexual impulse from its interpersonal goal, or towards some other act that is intrinsically destructive of personal relations and the values we find in them”. For Scruton, then, “sexual

perversions are dispositions that prevent flourishing” (Priest 1997, 369), so those who consider prudentially better sex to be morally superior would have reason to think that engaging in Scruton’s perverted sex is wrong (if he is right that engaging in it is indeed bad for us).⁷ Alternatively, it may be suggested that Scruton has in mind ethical, rather than moral disapproval: perverted sex is worse, but not necessarily morally wrong.⁸ On either interpretation Scruton takes perverted sex to be worthy of denigration, but this ambiguity perhaps puts him on the edge of more straightforwardly perfectionist approaches.

On all these accounts, then, perverted sexual practices are those that pervert the proper function of sex, and this is wrong not because it violates a (God-given?) ‘natural order’, but because it is *bad for us*. By engaging in sub-optimal, perverted sexual activities we deny ourselves something valuable, and make the perverse decision to lead a less flourishing life than we could.

3. Redefining the Function of Sex

3.1 Against Perfectionism

In common parlance, a perverted instance of an activity is one that does not achieve the proper end of said activity. Thus, it seems natural to understand sexual perversion as the failure to fulfil, or the active subversion of, the proper function of sex. The problem with the outlined perfectionist accounts is that they employ a substantive account of ideal sex, and consider perverted sex immoral or inferior because we ‘let ourselves down’ by subverting this ideal. Such accounts appear incompatible with the political liberal commitment to state neutrality, and the toleration of different ways of life; and to the importance of individual autonomy, and allowing individuals to form and pursue their own conception of the good.⁹ Yet, in response, perfectionists might object that they do not mean their account to be a guide to policy: homosexuality, pornographically-aided masturbation, fetishism and even celibacy may be deemed perverted,¹⁰ but this need not give the state reason to prohibit, or even condemn, these practices.

However, the moral attitudes taken by the state are not always easily divorced from the realm of policy. For example, as Martha Nussbaum (2011a) notes in her defence of political over perfectionist liberalism, even if a state remains neutral in policy terms they may express a problematic attitude towards citizens whose conception of the good they deem wrong, though they tolerate it nonetheless. Nussbaum calls this ‘expressive subordination’.¹¹ The state surely is not

sufficiently neutral if, for example, homosexuality, though not illegal, is accepted by state bodies and actors to be an inferior, perverted, and morally wrong form of sexual expression.

A further, related, reason to reject perfectionism is their expansive construal of the category of sexual perversion. As noted above, perfectionist accounts deem morally wrong many practices widely considered acceptable – homosexuality being a prominent, and widely-cited, example. It may be that an account could be devised that does not have this consequence, but it is a disadvantage of existing approaches that they propose an account of sexual morality barely less restrictive than traditional accounts – and so barely less useless as a guide to modern liberal sexual morality.

Moreover, whilst such expansiveness is not a necessary feature of perfectionist accounts, it is a likely one: once we begin a process of defining ideal sexual practice, sexual activities engaged in by a minority, and in which the majority do not see any value, are often ruled out.¹² Further, the requirement to reach a consensus on the features of ideal sex, and the suggestion that we act immorally by failing to engage in it, or (even worse) extinguishing our ability to engage in it, is both implausible and illiberal. Consider, for example, an asexual individual who experiences no sexual desire. They will never engage in ideal sex by the criteria of any perfectionist account, yet surely their lifestyle is neither perverted nor immoral. Nor should their asexuality be ‘cured’ to enable them lead a more flourishing (or ‘truly human’) life.¹³

Finally, even if the distinction between private morality and public prescription can be reliably maintained, it may be more desirable to have an account of perversion that *can* be applied in the public realm. Whilst we want to avoid the moral disapproval of many of the acts considered perverted on perfectionist accounts, this is not true in all cases. There are some practices, I will argue, which *should* be subject to public disapprobation: rape (broadly construed), paedophilia, some necrophilia, and (at least) some bestiality. Further, the wrongs of these practices are not fully captured by the notion of harm, in which much liberal moral condemnation is grounded (as §3.3 will discuss).

Thus, for any who consider the ideals of neutrality, autonomy, and diversity to be worth defending, perfectionist accounts will never be entirely satisfactory. To

resolve this tension, I suggest that rather than focussing on what sex should *ideally* be like, we focus instead on a norm to which all morally acceptable sex should conform. My approach does not, therefore, ground the wrong of sexual perversion in our failing in our duties to ourselves, nor does it require commitment to a single substantive conception of a good human life (or a good sex life).

3.2 Autonomy, Agency, and the Function of Sex

People engage in sex for a variety of reasons, with many different goals (though some are more common than others). Given this, it seems unlikely that there will be a single function of all and any morally acceptable sex: it is morally acceptable to pursue sex for the sake of pleasure, for reproduction, for intimacy, perhaps even for financial gain. However, I contend that whilst there is no single function of morally acceptable sex, there is a constraint on all such acceptable functions: (when sexual activity is not a solitary pursuit) it should involve engagement with another autonomous being, understood and respected as such. Thus, whatever the other motivations of the parties, all morally acceptable sex must also involve respect for one's partner(s) capacity for autonomous control and agency.¹⁴

It would be implausible – even to philosophers – to suggest that the sole function of sex is the expression of autonomy, and this is not my contention. Rather, to emphasise, this must be part of any morally acceptable function: seeking pleasure, intimacy and/or communication only *whilst* engaging with and respecting your partner's autonomy. This focus on the autonomy of the participants in a sexual practice – their capacity to formulate and act on their own decisions without undue external interference¹⁵ – means that perverted acts will not be those with the wrong *content*, but those undertaken in the wrong *conditions*.¹⁶ An act will not be deemed perverted because the participant is engaging in a practice of which we disapprove, or which we think no rational person would ever choose. It is perverted if it involves a failure to respect autonomy, or, more paradigmatically, when it is integral to the preference or practice that autonomy is not respected – the constraint is not merely violated, but reversed.¹⁷

It would be implausible, too, to suggest that all permissible sex requires an intellectually demanding process of autonomous engagement. In many instances of uncontroversially permissible sex it is clear that the interaction between

partners involves few of the higher cognitive functions. The requirement to protect, engage with, and respect our partner's autonomy and agency should not, then, be taken to be overly demanding or to imply that spontaneous or casual sex is impermissible. Failing to respect one's partner as an autonomous agent does not mean failing to have a deep and meaningful conversations with them, but failing to treat them as if they were *capable* of conversation or other agential capacities. To fail to meet this constraint on morally acceptable sex involves treating one's sexual partner as a being that lacks a capacity for autonomy, self-determination and agency, as something that either cannot experience feelings, or whose experiences can be summarily ignored.¹⁸ Demanding that this behaviour be avoided should hardly be considered excessively demanding.

Successfully respecting our partner as an agent does not, therefore, imply that all sexual activity must involve the expression of first-order autonomy. Autonomy is compatible with choosing to sacrifice control in some instances. A failure to acknowledge this would rule out much of BDSM – practices involving bondage and discipline, dominance and submission, and sadomasochism – and perhaps even mere spontaneity in sexual activity. The overall *context* of the sexual act in the wider relationship is of paramount importance. For example, if an individual makes an autonomous decision, following reasoned negotiation and discussion with their partner, to engage in a submissive sexual practice, the apparent violation of autonomy that subsequently occurs is neither wrong nor perverted. Indeed, the loss of autonomy is really only apparent. To engage in a simulated rape scene with a partner who has agreed to the boundaries of this scene, has a safe-word that can end proceedings at any time, and with whose safety and well-being the 'rapist' is concerned, is not to sacrifice autonomy. It is to partially sacrifice some first-order autonomy – for a time you must 'do what you're told' – but it is done in a context in which you are fully respected as an autonomous agent. The scene occurs only as a result of the (second-order) autonomous choice of the individual seemingly violated.

This is not to deny that there will be some hard cases, in which it may be difficult to determine the extent to which an individual has truly given autonomous consent to some act, and has not been manipulated or pressured into expressing 'consent' that is all but meaningless. For example, we might reasonably be sceptical about whether the consent given by those in (emotionally or physically) abusive relationships genuinely represents an autonomous expression of their

desires, though the point at which a relationship becomes abusive is not always easy to identify. Such cases are certainly a concern and, as we will see, may be instances of perversion. For now, the point is only that suggesting that respecting autonomy is a necessary condition of all morally acceptable sex, and its subversion is a hallmark of perversion, does not preclude sexual practices that involve some sacrifice of (first-order) autonomy, if they take place in the context of a relationship in which both partners engage with each other as autonomous agents. Indeed, well-negotiated submissive practices may be a paradigm example of such respect.

The focus on respecting others' autonomous capacities rather than demanding that acceptable sex involve a display of first-order autonomy means this account does not violate the demands of liberal neutrality. Political liberalism does not preclude the condemnation of behaviours that undermine or fail to respect others' moral powers, which is exactly what perversion entails. Thus, my liberal account of perversion could be seen as a natural development of the moral injunction against unreasonableness. Unlike perfectionist accounts, my liberal account does not affirm a theory of the kind of good sex individuals ought to pursue. It merely allows for the endorsement of the view that no reasonable person should pursue sex that fails to respect another's rational capacities, which entails no judgement about the superiority of sex involving the expression of first-order autonomy, and so no expressive subordination of those who do not choose to engage in it.¹⁹

3.3 Perversion and Harm

It might be objected that we do not need the concept of perversion to show why sexual practices that violate autonomy are wrong: they are wrong because they harm those who are so violated. It may, therefore, seem that I am simply claiming that harmful sexual practices are perverted. However, these two categories are not identical on my account. Indeed, they come apart in three ways. First, on a number of definitions of harm, practices may be harmful yet still respect autonomy. For example, if harm is defined as 'bodily harm' or 'pain', then sadomasochistic practices in which individuals are quite seriously harmed may not be perverted if partners outline and mutually respect their boundaries, desires, and intentions. If harm is defined as setting back our interests, subjectively or objectively defined, then various sorts of bad sex might harm us (lower our hedonic state, conflict with our informed desires, reduce our access

to items on an objective list of well-being components), but as long as it involves respect for autonomy it will not be perverted.

Second, on at least some definitions of what constitutes harm and of what constitutes an agent, practices that may not be considered to harm an agent – such as bare rape,²⁰ bestiality, and necrophilia – may still be considered perverted on my account. Finally, ascriptions of perversion allow us to argue there is something additionally wrong, or particularly morally reprehensible, in acts that are both harmful *and* perverted. Sadistic rape, for example, seems morally worse than violent theft, even if the same harm (physical and psychological) results from both attacks.²¹ All these cases will be considered in further detail below, but this should suffice to demonstrate that my understanding of perversion cannot be straightforwardly collapsed into an account of harm, or vice versa.

4. Which Practices Are Perverted?

Most discussions of perversion include some consideration of which acts should be classified as perverted, and I will follow in this tradition. Unsurprisingly, I do not aim to provide a definition that fits entirely with traditional classifications, wherein practices including homosexuality, masturbation, and BDSM are considered paradigm cases of perversion. Indeed, part of the goal of a liberal account is to challenge such classifications. Since my definition depends on the conditions in which sexual practices take place, I cannot provide a simple list of the practices that are always, or never, perverted. There are *some* practices that are necessarily autonomy violating (category A, discussed in §4.1), and some that have no reason to be (category C, discussed in §4.4). However, many practices *may* lend themselves to occurring in conditions in which autonomy is not respected, but can (and often are) carried out without any violation of participants' autonomy (category B, discussed in §4.2 and §4.3). A rough categorisation of various practices is given in figure 1, the justification for which is provided below. My aim, in developing this account of perversion, is to allow individuals the freedom to devise and pursue their own ideal of sexual functioning, whilst condemning in the strongest terms those practices that depend on suppressing and subverting another person's autonomy.

Category A: Always Perverted	Category B: Potentially Perverted	Category C: (Presumptively) Not Perverted
Rape	BDSM	Homosexuality
Paedophilia	Incest	Asexuality and celibacy
Bestiality (of 'higher' animals)	Necrophilia	Fetishism
	Cochrophilia/urophilia/blood sports	Transvestism
	Voyeurism and exhibitionism	Masturbation
	(Consensual) prostitution	Polyamory
	Bestiality (of 'lower' animals)	
	Pornographically-aided masturbation	

Fig. 1: A categorisation of the presumptive perversion of various sexual practices

4.1 Why Rape Is Perverted

Levy (1980, 202) asks “why rape has not traditionally been perceived as a perversion at all”. It is fairly easy to offer a number of reasons why, for many people, rape is not considered perverted, though it is, of course, considered seriously wrong. First, (heterosexual vaginal) rape can lead to reproduction, so if the function of sex is understood in these simplistic terms, then rape does nothing to subvert it. Second, if sexual perversions are defined as those practices that are statistically abnormal or infrequent, then this is sadly not true of rape (especially when including marital rape).²² Third, on some rather stereotyped accounts of male and female sexuality, it is assumed that men tend to want sex, whilst women tend to resist it. For those who believe this, the motivations behind (male-perpetrated heterosexual) rape may therefore be deemed natural or normal. Finally, if an account of perversion focuses on the ‘form’ of the preference or act, rape will not be considered perverted insofar as it is taken to be a normal form of sex carried out in less normal circumstances.²³

Yet none of these reasons are sufficient to continue categorising rape as non-perverted, especially if it can be shown that rape is significantly similar to other perversions. Rape is clearly hugely harmful to its victim, and deeply wrong on this account. However, I contend that there may be an additional wrong involved in rape, especially when the preference acted upon is *for rape itself*. I have in mind cases in which the rapist does not simply desire intercourse (or another form of sexual release) and is unconcerned how this is achieved, but rather

desires sexual interaction with a non-consenting partner.²⁴ When this is the nature of the desire, it seems clear that this is not simply a 'normal' or morally acceptable sexual act carried out under abnormal circumstances. If the desire is to rape – to ignore or subvert another's autonomy – then this desire is perverted.

This raises the significance of the nature of the rapist's desire – whether its object is rape or merely intercourse – and how this relates to the perversion of the resulting act. Again, rape is clearly wrong whatever the motive, but it seems there is something particularly perverted when someone does not merely fail to respect the autonomous agency of their partner, but specifically desires to subvert, crush, and ignore that agency. Rape is not merely a means to fulfilling a sexual desire. The goal of the desire itself is to subvert and ignore the agency of one's partner. As Nussbaum (1995, 281) powerfully puts the point:

It is a desire that would not have been satisfied by intercourse with a corpse, or even an animal. What is made sexy here is precisely the act of turning a creature whom in one dim corner of one's mind one knows to be human into a thing, a something rather than a someone.

This kind of 'sadistic rape', wherein the rapist desires and takes pleasure in the subversion of their victim's autonomy – in the act of rape itself – is clearly an instance of perversion. But what about the kind of desire that *would* be satisfied by intercourse with a corpse or an animal – or, indeed, a consenting human? We might call this 'apathetic rape', since the rapist does not specifically desire to engage in an act of rape, but also does not care whether they respect or violate the autonomy of their intended partner. Their desire, then, is not directly for the subversion of autonomy, yet it does not include as part of its object respecting the autonomy of one's partner. Thus, this desire (and the rape it motivates) is also perverted, if less so.²⁵

There may also be cases in which the rapist neither desires to subvert their partner's autonomy, nor does not care about it at all, but is culpably negligent in attending to expressions of that autonomy. Perhaps not noticing their partner's lack of consent (for example, a failure to positively (and enthusiastically) assent), or their inability to give their consent (perhaps because heavily under the influence of drugs or alcohol).²⁶ Such 'inattentive rape', demonstrating a lack of engagement with our sexual partner as an autonomous agent, can render this desire perverted too, though it seems the least perverted case of the three. I

disagree with Ruddick (1984, 292), then, that *only* sadistic rape counts as an instance of perversion. All three cases involve a failure to treat one's partner in an appropriate way, and fail to achieve the standards of morally acceptable sex, though the constraint is most obviously and deeply violated in the first case.

Perversion, then, is a scalar concept. The level of perversion depends not only on the desires motivating the act, but also the nature of the act. Whilst I cannot provide a complete ranking here, the relevant considerations must surely include the degree of autonomy violation and its duration, and the impact on future autonomy, including the future capacity to engage in satisfying sexual relationships. Yet, regardless of degree, whenever a sexual act or desire involves violating and ignoring another's agency I suggest that it is (to some extent) perverted, and wrong on this account – in addition to any further considerations that may make it wrong.²⁷ Some may object, here, that rape should never be considered scalar, but insist that 'rape is rape', and always equally wrong on that account. Certainly all rape is wrong. Indeed, part of my goal is to decrease the normalisation of rape, and increase the stigmatisation that should accompany rape in all its forms. However, I do not believe this is incompatible with claiming that, just as we can distinguish assault and aggravated assault, so too might some rapes be worse than others. Further – and importantly – that rape is not simply worse insofar as it is more harmful. Rape may also be worse insofar as it is more perverted: where it is motivated by a desire to subvert the victim's autonomy, or involves an act that is particularly detrimental to that autonomy.

4.2 Why Many Practices May Not Be Perverted

I will now discuss cases, listed in category B, which may lend themselves to such autonomy-violations on occasion, but need not do so. I argue that these practices need not be perverted, and so impermissible on this account, despite the fact that many readers will likely find this counterintuitive in at least some cases. However, if the moral disapprobation associated with the label of perversion cannot be justified then it is not a disadvantage of the approach that it runs counter to these intuitions. I will focus here on BDSM and incest, and, in the subsequent section, consider two more difficult cases: bestiality and necrophilia.

First, BDSM, a community in which some members self-define as 'perverts' in an attempt to reclaim this term, just as others have reclaimed pejorative terms such as 'queer' or 'slut'. But is it right to class the practices encapsulated by BDSM as

perversions? The answer will depend on whether it is possible to autonomously engage in these practices, and I contend that it is so possible. As demonstrated in the above discussion of submissive sexual practices, a concern for autonomy does not require every participant to directly engage as a first-order autonomous agent in every sexual practice and encounter. Non-perverted sex must always respect autonomy, but it need not always be directly autonomous. The temporary sacrifice of first-order autonomy can be an enjoyable and rewarding experience, and is compatible with being treated by one's partner as autonomous on a second-order level. Indeed, in negotiating the content and boundaries of a scene, the expression of autonomous agency is paramount.²⁸

The key focus must be the wider context: does the individual choose to engage in these practices in the context of a relationship and social situation in which they are able to freely form and pursue their own conception of the sexual good? This is a key liberal idea, although many liberals do not explicitly expand their concern for autonomous *control* (as opposed to lack of autonomy-violation) to the sexual domain. Not so capability theorists, however, who emphasise the importance of being able to exercise substantive control over many domains of human life.²⁹ Indeed, the language of capability theorists is useful here, since it is essentially the capability – the physical and psychological ability – to control one's sexual life that I suggest perversions undermine. BDSM is compatible with this capability, and the focus on informed and 'enthusiastic' consent in this community means that, in many instances, these practices may better meet the ideal of autonomy-respecting sex than more 'normal' sexual encounters.

Yet it may be objected that given that desires may be perverted, as well as practices, consent is insufficient to absolve (some) BDSM. Imagine an individual who desires to rape another person – to subvert their autonomy and treat them as an object – yet is mindful of the risks of perpetrating such a crime, and does not want to face punishment. They therefore find a willing partner who agrees to a simulated-rape scene. However, though their partner consents, they imagine themselves to be actually engaging in rape, and derive sexual satisfaction from this thought. Given this consent, it is difficult to argue that rape has occurred. However, this by no means implies that no wrong is done, or that the act is not perverted. Insofar as this individual desires to use another person as an object and, indeed, imagines themselves to be doing so, their desire is surely as perverted

as other rapists'.³⁰ Indeed, it is a benefit of this account of perversion that it allows us to appropriately abhor these acts.

However, it is important to emphasise that this need not be, and usually is not, the motivation of participants in BDSM. Rather than desiring to rape someone and settling with make-believe, the individual may desire to pretend to rape someone – just as their partner desires to be pretend-raped without any implication that they desire to be actually raped. The fact that individuals with perverted desires could use BDSM to hide and legitimate these desires should not lead us to assume that this is true of all (or most) participants. Again, it must be stressed: context matters.

Next, I briefly consider incest where, again, I contend that autonomy need not be undermined. Consider, for example, Jonathan Haidt's (2001, 814) case of harmless incest:

Julie and Mark are brother and sister. They are traveling together in France on summer vacation from college. One night they are staying alone in a cabin near the beach. They decide that it would be interesting and fun if they tried making love. At very least it would be a new experience for each of them. Julie was already taking birth control pills, but Mark uses a condom too, just to be safe. They both enjoy making love, but they decide not to do it again. They keep that night as a special secret, which makes them feel even closer to each other.

There is no reason to think that the autonomy of either party is undermined in this instance. Most cases of incest are not of this form, however. Even leaving aside cases of paedophilia – in which it is clear that autonomy can never be respected – the power dynamics within family structures mean there is often serious risk that the autonomy of at least one party will not be respected. Thus, although incest is like BDSM in that it is not incompatible with the expression of autonomy, it differs insofar as autonomy is much more likely to be subverted – and so the practice perverted – in actuality.

4.3 Who Has Autonomy Interests?

The final cases I will consider are necrophilia and bestiality. Desiring sex with something who has autonomy-interests yet lacks the capacity to give autonomous consent is necessarily perverted. Hence the desire to engage in sexual activity with a prepubescent child is perverted, since it can never be experienced with an autonomous sexual partner. Acting on such paedophilic

desires, even when this does not entail physical injury, coercion, humiliation, or deceit, still cannot demonstrate respect for the autonomy of the child, who lacks the emotional maturity and cognitive capacity to autonomously consent to such a relationship (at least under the age of, say, 12).³¹ Whether this is also true of necrophilic desires depends on whether we can make binding autonomous decisions about our bodies after death (and that the necrophile's desire for sex with a corpse would not dissipate if known to be a *consenting* corpse). I would suggest that we can make binding decisions about what should happen to our bodies after we die: that our organs should be donated, that we should be cremated rather than buried, or that someone should be able to have sex with our body. Whilst one partner clearly cannot act first-order autonomously in the course of the practice, they *can* still be respected as a second-order autonomous agent. We are acting according to their wishes, and no subversion of autonomy is involved. Similar points apply to pornographically-aided masturbation: though the medium makes first-order autonomous engagement impossible, it can involve respecting second-order autonomy. Obtaining and using pornography whose participants did not consent to its production or use (and the user can reasonably be expected to know this) *would* count as perverted.

A further apparently similar case is sexual activity with a person with dementia. Like necrophilia, we might believe that this is something that can be agreed upon in the context of a loving relationship and that second-order autonomous consent can be given before first-order autonomy becomes impossible. However, unlike a corpse, a person with dementia has autonomy-interests yet, by hypothesis, lacks the capacity to consent. On the one hand, then, the context of the relationship, the person's emotional maturity, the likely absence of harm, and the possibility for prior consent seriously mitigates the wrong in this case. On the other hand, if an individual cannot autonomously consent then they cannot be appropriately respected and engaged with as an autonomous agent. Whilst the active expression of first-order autonomy is not always essential, it must be possible to withdraw consent during any sexual encounter (for example, with a safe word). Further, whilst the overall context of a relationship is important and may, for example, change what constitutes valid consent (depending on a couple's long-established, negotiated norms of communication), long-term relationships do not obviate the need for (on-going) consent: such arguments were long-used to justify, indeed obscure, marital rape.

Next I turn to bestiality. There would be nothing wrong with bestiality if we believed *either* that animals can express autonomous preferences (if, for example, they appear to enjoy something), *or* (at the other extreme) that animals are not the kind of beings that have autonomy-interests that can be violated. Perhaps, even, that they are essentially objects. If the latter is true, bestiality becomes equivalent to fetishism (sexual interest in an object), and involves no desire to undermine autonomy and no violation of autonomy. Bestiality is a complex case and I will not attempt to provide an account of animal autonomy, or the appropriate relationship between humans and non-human animals, here. Tentatively, I suggest that *at least some animals* should be considered as analogous to children: they are not mere objects with no autonomy-interests, yet they are also not able to give their autonomous consent (at least in a way we would understand).

There is, however, some apparently sexual interaction between humans and animals that few would want to condemn, such as the collection of semen of various domestic animals for the purposes of artificial insemination. This may not be an instance of *sexual* perversion insofar as the farmers' motives are not sexual and the practice is not understood as a sexual one – though we might reasonably disagree about whether this should be decisive. However, even if we grant that, in this context, the practice is not sexual, it may still seem to share features with cases of perversion. This process, and indeed, the wider system of farming animals for human use and consumption may exactly involve the illegitimate use of beings with autonomy-interests, and the subversion of their agency.³² Note that this is so regardless of whether animals are harmed.³³

This raises the wider question of whether perversion can only occur in sexual contexts: if perversion is about failing to respect one's partner's autonomy in a relationship in which autonomy is paramount, surely this does not only occur in sexual relationships. I would not deny this, and follow perfectionist accounts in seeing sexual perversion as one instance of a wider category (Levy 1980, 199-201; Levinson 2003, 30-32). Thus, those who manipulate and coerce their friends, family, employees, and, indeed, animals in their care, may also be perverts of a non-sexual variety, insofar as they subvert what *these* relationships should be about. However, sexual perversion remains my focus for two reasons. First, autonomy is particularly central to sexual relationships: as Joan McGregor (1994, 236) notes "the seriousness of rape derives from the special importance

we attach to sexual autonomy”.³⁴ Second, perversion is widely used in the sexual context, and it is this term and its (mis)use that I hope to reclaim.

The goal of this section is not to definitively determine how bestiality, necrophilia, and similar practices should be classified, but to show how such cases should be approached. Whilst there cannot be reasonable disagreement over whether practices that we are certain subvert autonomy (and are thus perverted) are wrong, there will often be reasonable disagreement about whether particular cases are, in fact, instances of perversion: the status of animals and the constraints on our treatment of them being a prime example. The plausibility of my definition does not hang on achieving consensus on such classification, but on drawing out an important element on which our assessment of a case should focus.

4.4 Identifying Perversions

Before concluding, it is worth mentioning category C: practices that are presumptively not perverted. I have listed these acts because they appear on most standard accounts, criticised for their failure to lead to reproduction, or the harm it would do us to engage in them. I argue that there is no reason to consider these practices perverted, since nothing about them leads to autonomy violations. Heterosexuality could be included on this list too. It is possible to conjoin some of these practices with autonomy violations: homosexual rape, for example. In this case, however, it is the rape that is perverted, not the homosexuality. The other practices in this category – asexuality and celibacy, fetishism, transvestism, and masturbation – are self-regarding or solitary practices.³⁵ One *could* force another to engage in any of these, but this seems clearly distinct from the practices themselves.

This may raise the objection that the perverted element of every perverted practice can be reduced to rape. Perhaps on an extremely broad definition of rape – as any sexual activity in which autonomy is violated – this may be true. Thus, paedophilia is child-rape, bestiality animal-rape, necrophilia (can be) corpse-rape, and so on. However, there are reasons to avoid collapsing all perversions into this single category. First, the idea of child or animal rape implies there may be non-rape in such cases: autonomous sex with children or animals. I do not believe this is possible (for children and at least some animals). Second, perversion, unlike rape, applies to desires as well as acts, allowing us to

label desires as perverted even if they are never acted upon. Third, rape is a widely contested concept: is sexual violence that does not involve penetration rape? Is having sex with a drunk partner rape? Indeed, is all sex between a man and a woman rape, against deeply patriarchal background conditions?³⁶ We can argue that all practices and desires involving autonomy violations are (to some degree) perverted, without having to settle these complex definitional questions. Finally, rape is often construed in binary terms, for obvious reasons – we frequently need to determine whether an accused rapist is guilty or not – whilst perversion is scalar. Thus, it gives us the tools to express our disapproval in cases where rape is absent yet insufficient respect is shown for autonomy. For example, someone unconcerned with autonomy who happens to find a consenting partner, or who manipulates and cajoles their partner into expressing consent, may avoid being a rapist, but are still perverted.

However, this is not to say that there is not a close connection between perversion and rape. Sadistic rape is surely a paradigm example of what is wrong about perverted practices and desires: subverting and crushing another's autonomy, violating and ignoring their agency, treating them as an object whilst knowing that they are not an object, but an agent with emotions, desires, and feelings. If perversion is a scalar concept, perhaps rape occupies the upper-end of the scale. Yet, for the reasons just noted, this should not lead us to give up on perversion and talk in terms of rape alone.

5. Conclusion: Why Liberal Perversion?

Even if my account of perversion cannot be conflated with rape, or with harm, is it identical to morally wrong sex? If this were so, this might tempt us to follow Primoratz and Priest and scrap talk of perversion. However, as §2.2, §3.3 and §4.4 have discussed, I see little reason to discard the term and good reasons to keep it. Most importantly, though, perversion is not identical to morally impermissible sex: whilst all perverted sex is morally wrong, not all morally wrong sex is perverted. It might, for example, be wrong to engage in sex that risks conceiving a child whose life will not be worth living – perhaps because both prospective parents carry a gene that mean any offspring will be highly likely to have a painful and debilitating impairment.³⁷ Alternatively, we might think certain forms of deeply offensive sex can be wrong, even if both parties consent: for example, the use of blackface or role-playing scenarios involving Nazis and concentration camp inmates. To emphasise: a liberal state is unlikely

to prevent individuals engaging in such practices. Nonetheless, state officials might publically endorse the view that such behaviour is morally wrong, just as they might repudiate other behaviours that uphold harmful and prejudicial norms and stereotypes that contribute to a social context in which many groups are not truly treated as free and equal members of society – for example, the telling of deeply racist, sexist, or homophobic jokes. Lastly, cheating on a partner with whom one has entered a monogamous relationship might also be wrong, even if the adulterous sex is autonomous. Thus, sexual perversion is not synonymous with morally impermissible sex, but constitutes an important subset of this category, the wrong of which cannot be captured with the language of rape or harm. It requires the language of perversion: of ignoring, undermining, corrupting, or subverting the requirement to respect our partner's sexual autonomy.

As it stands, perversion is a widely-used term and, more often than not, it is misused. It is used to criticise practices such as homosexuality, polyamory and BDSM, and put those who engage in them on a moral par with paedophiles and zoophiles. The moral stigma it invokes is powerful and, when misapplied, deeply damaging. Yet this stigma can be useful, and liberals would do well to harness it, rather than leaving the definition and application of such terms in the hands of those who use them to stigmatise and censure minorities engaging in consensual sexual practices. Shame and disgust are powerful moral emotions, which those who desire and engage in sex that involves violating their partner's autonomy and capacity for agency ought to feel and be subject to. There is a benefit in putting paedophilia in the same moral category as rape when the former garners massive moral outrage and the latter can be seen as a natural and unavoidable part of life. The liberal's best defence against the misapplication of perversion, then, is to reclaim it, and reapply it in a way that is compatible with liberal values.

The account of perversion I defend is permissive insofar as it counts many practices as non-perverted, under the right conditions: necrophilia, incest, and BDSM, amongst others. Yet it is also a restrictive definition insofar as it does not limit liberal morality to cases of harm. Acts can be perverted, and wrong on this account, even when (arguably) no harm occurs, and desires can be perverted even when they do not produce a wrongful act. This approach does not require a consensus on a substantive ideal of good sex, nor our duties to ourselves to engage in such sex. It simply requires a commitment to individual autonomy: to

allowing individuals to devise and pursue their own ideal of sexual functioning; and to condemning in the strongest terms those whose ideal of sex ignores or, worse, subverts the autonomy of others.

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¹ Despite this tension, perfectionists may respond that the state need not violate its commitment to neutrality by actually enforcing ideal sex. In §3.1 I argue that this tension cannot be so easily resolved.

² The Catholic Church does, now, attach a further, 'unitive' function to sex, as manifesting the love between married couples. Some contemporary Catholic philosophers, such as John Finnis (2008) also take this line. Yet they argue that only sex between married, heterosexual couples can have this function, and sex without it is pointless and degrading. Given this constraint, this function, too, remains inextricably linked to the possibility of procreation.

³ It is worth noting that Goldman does not adopt a functional account of sex: procreation "may be 'nature's' purpose, [but] it certainly need not be ours" (Goldman 1977, 41). Goldman suggests that 'our' purpose in engaging in sex is bodily pleasure, and perverted sex is not that which pursues some other end, but that which seeks pleasure in a statistically unusual way.

⁴ As is often true of slogans, this language is imprecise. My focus is on perverted acts and desires. Determining who counts as 'a pervert' is a further question, the answer to which will likely depend on the consistency of individuals' desires: someone with sustained perverted preferences may be a pervert even if they never act on them, and someone who has performed one perverted act may not be a pervert. Thanks to an anonymous referee for pressing me to clarify this distinction.

⁵ "Any creature, however rational or articulate, who does not value the basic human goods is not human" (Levy 1980, 200).

⁶ Levinson's ideals for human sexual behaviour include the physical expression of erotic love, a delight in the communion of minds, and the physical communication of thoughts and feelings (Levinson 2003, 35).

⁷ Ruddick would accept this *conditional* claim: "a characteristic renders a sex act morally preferable to one without that characteristic if it gives, increases, or is instrumental in increasing the 'benefit' of the act for the person engaging in it" (Ruddick 1984, 281). She would, however, soundly reject Scruton's view of sex that is thus beneficial and, as noted, adopts a purely descriptive account of perversion.

⁸ See Williams (2011, e.g. 15; 55) for a discussion of this distinction.

⁹ I do not provide a defence of political liberalism – this would go well beyond the scope of the current paper. Rather, I aim to show that a moralised account of sexual perversion can be developed that is compatible with political liberalism. I speak, therefore, to those already persuaded by political liberal goals, and do not attempt to convert those unmoved by them.

¹⁰ For example, Levinson (2003, 36; 42; 44), Levy (1980, 201-202), Scruton (2006, 284-321). Although Scruton admits that some of these practices may not count as full-blown perversions, he nonetheless holds that they fail to meet his ideal of sexual behaviour. For instance, he claims that homosexual sex, whilst not necessarily perverted, is inferior to heterosexual sex insofar as it does not involve conscious engagement with one who is relevantly distinct from oneself (Scruton 2006, 305-311).

¹¹ "Even if you are tolerated...government will state, every day, that a different view, incompatible with yours, is the correct view, and that yours is wrong" (Nussbaum 2011a, 35). Of course, the state does not always limit itself to mere expressive subordination. For example, in the case of *Brown* (cited in Archard 2007, 378), a group of men were prosecuted for assault for engaging in consensual sadomasochism; and the Supreme Court in the US has recently argued that there is no constitutional right engage in BDSM as a form of self-expression (Volkov 2016).

¹² It may be objected that the whole point of sexual perversion is to pick out 'weird' desires and acts, only indulged in by a minority. It is true that 'perversion' often serves this purpose in popular discourse. It also often serves the purpose of stigmatising and denigrating these 'weird' practices, and even prosecuting those who engage in them (fn.11). As §2.2 noted, we must choose between an approach that challenges the content of the category but fits with

our wider moral commitments (as I do), or one that challenges the disapprobation associated with the term. No consistent definition will fit all intuitions or common uses.

¹³ This is not to say that some do not make such claims about asexuality. As one asexual person notes, “[w]e are perceived as not being fully human because sexual attraction and sexual relationships are seen as something alive, healthy people do” (Decker in Mosbergen, 2013). For discussion of the treatment of asexuality in liberal states, see Begon (2017).

¹⁴ Note that this is a necessary but not sufficient condition of morally acceptable sex: there are other ways in which sex may be morally impermissible (as §5 will discuss).

¹⁵ I take this broad understanding of autonomy to be consistent with the liberal tradition, and will not consider the debates around the topic here. For further discussion see, for example, Colburn (2010).

¹⁶ In discussing examples of perverted practices (§4), I contend that some practices are necessarily autonomy violating (for example, rape and paedophilia). The content of an act can determine whether it is perverted, then, but only if it *cannot* occur in the right conditions.

¹⁷ I discuss the distinction between failing to respect, and actively subverting, the proper function of sex below (§4.1). Roughly, although both are instances of perversion, I consider perversion to be a scalar concept, and the former are more morally serious on this scale.

¹⁸ Such mistreatment is powerfully described by Nussbaum (1995, 257) as instances of objectionable objectification.

¹⁹ Allowing state bodies and actors to publically acknowledge that perverted sex (as well as other impermissible sex (outlined in §5)) is, indeed, morally impermissible does not imply these must be made legally impermissible. Often this will prove impractical or require overly draconian forms of surveillance and intervention. Thanks to an anonymous reviewer for pushing me to clarify the connection with liberal neutrality.

²⁰ ‘Bare rape’ is a term coined by David Owens (2012, 177-179) to capture cases of rape in which the harms usually associated with it do not seem to be present. Drawing on John Gardner and Stephen Shute’s (2000) ‘harmless rape’ case he imagines the victim is oblivious of the rape, and so does not feel violated. Further, no one else knows about the rape, and the rapist dies soon afterwards, “so neither the victim’s social standing nor other people’s sense of security is affected” (Owens 2012, 177). Even if we agree such cases are harmless, they are clearly still wrong (though opinions on why this is so differ (see, for example, Archard (2007))).

²¹ Indeed, people do estimate rape as more serious than serious assault or armed robbery (Sellin and Wolfgang in Archard 2007, 375)

²² Currently it is estimated that 1 in 5 women aged 16-59 in the United Kingdom has experienced some form of sexual violence since the age of 16 (rapecrisis.org.uk).

²³ For example, Priest (1997, 361, fn.2) and Goldman (1977). I reject this understanding of rape (§4.3). Note that in these accounts (and many others) rape is implicitly understood as forced heterosexual genital intercourse. Clearly, this is not the limit of what may constitute rape, but I will not attempt to identify these limits here (see, for example, Archard (2007), Hampton (1999), Conly (2004), Anderson (2005)).

²⁴ For example, consider the character Patrick in the film *Elle* (2016).

²⁵ My view, then, coheres with Archard’s (2007, 389) claim that the key harm of rape is present in such cases, even when the potential rapist happens upon a consenting partner: “A [the potential rapist] manifests a disregard for S’s worth, an indifference to her consent and its significance, which is...the hallmark of moral injury”.

²⁶ Consent need not necessarily be verbal: the nonverbal communication of consent can qualify in some cases (as Tom Dougherty (2015) argues persuasively). However, whether verbal or nonverbal, we should emphasise the importance of affirmative consent.

²⁷ Being apathetic or indifferent to someone’s autonomy need not be wrong or perverted if we do not also violate their bodily integrity. A lack of concern for autonomy is so important

in the domain of sexuality because it is so central to this domain that we interact with, and respect, others as autonomous agents. I discuss non-sexual perversion further in §4.3.

²⁸ Analogous arguments could also be made about cochrophilia, urophilia, blood sports, voyeurism, and exhibitionism.

²⁹ For example, Nussbaum (2000; 2006; 2011b), Anderson (1999), Begon (2017).

³⁰ A further complication concerns the effects of lying and deceiving, especially about deal-breakers, on the validity of consent. It may be argued that the ‘victim’ does not consent to have sex with someone who is imagining he is really raping her, and thus does not *really* consent to the rape scene. Even if this is not rape, it is still seriously morally wrong for this reason (for example, Dougherty (2013a; 2013b)). I cannot explore this topic here. However, it is worth noting that lying and deception may involve perversion insofar as they involve subverting another’s autonomy. Lying about, or refusing to provide, information known to be relevant to such an important decision may involve manipulating someone and undermining their ability to autonomously consent. This is surely inimical to respecting and engaging with another as an autonomous agent. Thus, deception may render an act perverted, even if it is not deception to conceal a desire that is itself perverted (as in the simulated-rape case).

³¹ This general contention is compatible with Claudia Card’s (2002, 174) ‘Bonding Theory’, wherein the wrong of paedophilia arises because adults create bonds through these sexual relationships that “the child may be unable to loosen”. Creating such a bond in these circumstances shows a clear absence of respect for the child’s autonomy. Accepting this view may not rule out all sexual activity involving a child. For example, breastfeeding may be permissible even when done for the sexual pleasure it provides, as long as it does not continue so long that it creates a bond that “interfere[s] with the child’s ability to go her own way and make a life for herself” (Card 2002, 175). In our current social and cultural context, however, there will be few such cases. (Thanks to an anonymous referee for pushing me to clarify this point.)

³² Interestingly, some vegans do describe these processes as analogous to rape, and those who engage in them and consume their products, as perverted. (For one example of such claims, see Simon Amstell’s film, *Carnage* (<http://www.bbc.co.uk/programmes/p04sh6zg>).)

³³ The same point applies to paedophilia: even if a child is not harmed by, and even enjoys, a sexual encounter with an adult, this does not legitimate it or render it non-perverted.

³⁴ Given this importance, a lack of *concern* for autonomy may be perverted in the sexual domain, whilst its actual violation may be required in others (see fn.27).

³⁵ One further practice is listed: polyamory. This may seem like it does not belong since it is a form of sexual relationship rather than a sexual act. It is included because it is often described as perverted. Whilst in certain contexts it may involve autonomy violations – for example, in a patriarchal society in which only men are allowed additional partners – I do not believe there is reason to think it is more prone to autonomy violations than monogamy. (For further discussion, see Strauss (2012).)

³⁶ As some have interpreted Andrea Dworkin’s (1987) view.

³⁷ I am not suggesting that conceiving a disabled child is always wrong, only that this might be true of a narrow subset of the most serious conditions.